

EXHIBIT

A

THE STATE COURT OF ROCKDALE COUNTY
STATE OF GEORGIA

BAHATI STEWART)	
)	
PLAINTIFF)	
)	Civil case NO. 2023-SV-1141
V.)	
)	
JULIE & DAVID NICHOLS)	
)	
DEFENDANTS)	
)	
	/	

COMPLAINT

Comes now, Ms. Bahati Stewart, the plaintiff in the above style case file this complaint for damages pursuant to Ga Code section 4-3-3 in a bodily injury claim against Julie and David Nichols hereinafter the “Defendants” as follows:

JURISDICTION AND VENUE

1.

The State Court, has subject matter jurisdiction over this negligence action.

2.

The Defendants resides at 2700 Oglesby Bridge Rd SW, Conyers GA 30094 .

The incident giving rise to this action occurred in Rockdale County Georgia, thus Venue is proper in Rockdale County.

PARTIES

3.

Plaintiff, Bahati is now and at all times mentioned in this complaint a resident of the state of Georgia

4.

At all times during the incident, Defendants reside at 2700 Oglesby Bridge Rd SW, Conyers GA 30094 and will be served at this address.

STATEMENT OF FACT

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On or around the 7th of April 2021, Plaintiff encountered a cow on the road at approximately 1:30 AM.

6.

Ms. Bahati Stewart was driving the blue Maxima, she stated that as she came around the curve traveling westbound she struck a black cow with her vehicle that was standing in the roadway just before the South River Bridge.

7.

The police receive calls about cows in the roadway in that area every night.

8.

Ms. Bahati sustained injuries to her back, and neck including a permanent pinch nerve in her neck.

9.

As a result of the injuries sustained by Ms. Behati, she took a few days off work, and sought treatment at Benchmark in Clarksville TN, Benchmark in Riverdale Ga, Center for Neurology/ Dr. Saba Orthopedic, Piedmont Orthopedics, Piedmont Urgent Care, Northside Hospital, Ft Campbell Chiropractic and Piedmont healthcare Fayetteville.

9.

Ms. Bahati has endured days of treatment and therapy, incurred out of pocket expenses, wage loss to the tune of \$107665.

CAUSE OF ACTION

10

Plaintiff, by its attorneys alleges the following cause of action.

COUNT I

NEGLIGENCE

11

Paragraphs 1 through 10 incorporated herein by this specific reference

12.

Defendant had a duty to keep their cows with ordinary care in the maintenance of their stock.

13.

Defendant breached her duty to the Plaintiff when they failed to keep their cattle from running at large and straying unto public land.

14.

Plaintiff was injured when her car hit the cow in the middle of the road and was injured as a result of this accident.

15.

Plaintiff incurred medical expenses from treating her injuries to the tune of \$107,666, with total cost of \$123,681.35.

16.

Because Defendant's negligent act caused Plaintiff's injury and Pain, Plaintiff is entitled to recover from Defendant's negligent action.

COUNT II

COMPENSATORY DAMAGES FOR PLAINTIFF'S PAIN AND SUFFERING

17.

Plaintiff incorporates Paragraph 1 through 17 therein;

18.

Defendant's negligent act of leaving their cow to roam on the road making Plaintiff to get into an accident causing Plaintiff serious pains and Suffering,

making her unable to properly care for her family, thus entitling Plaintiff to recover for her pain and suffering.

REQUEST FOR JURY TRIAL

19

Plaintiff request trial by a jury, only if the jury trial is available within 1 year of filing the suit, in the alternative, Plaintiff requests a bench trial where a jury trial is unavailable.

PRAYER FOR RELIEF

20

WHEREFORE, Plaintiff prays for judgment against the Defendant as follows:

1. All medical bills past, current, and future that will be incurred as a result of this incident;
2. All lost wages, past, present and future;
3. Pain and sufferings as a result of this accident;
4. All Court Costs, Discretionary expenses, Expenses incurred as a result of this lawsuit, and Pre and Post judgment interest;
5. Compensatory damages;
6. Attorney's fees and Court cost;
7. All Further Damages or compensation deemed just and proper by this honorable court.

Submitted this February 2, 2023

/s/Esther Oise Esq.
Bar No 686342
Attorney for Plaintiff
Bahati Stewart

Oise Law Group PC
2635 Governors Walk Blvd
Snellville, GA
Phone: (770)-895-3736
Fax: 9802658981
oiselaw@gmail.com

CERTIFICATE OF SERVICE

I Esther Oise, attorney for the Plaintiff, on this 2nd day of February, 2023,
personally served the Defendant a copy of the foregoing through private process
servers at Defendant's last known address as follows:

2700 Oglesby Bridge Rd SW,
Conyers GA 30094

/s/Esther Oise Esq.
Bar No 686342
Attorney for Plaintiff
Bahati Stewart

Oise Law Group PC
2635 Governors Walk Blvd
Snellville, GA
Phone: (770)-895-3736
Fax: 9802658981
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STATE
IN THE ~~SUPERIOR~~ COURT OF ROCKDALE COUNTY

STATE OF GEORGIA

BAHATI STEWART

_____CIVIL ACTION 2023-SV-1141
NUMBER: _____

PLAINTIFF

VS.

JULIE NICHOLS

_____DAVID NICHOLS

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Esther Oise
Oise Law Group PC
2635 Governors Walk Blvd
Snellville, GA 30078

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

2/3/2023

This _____ day of _____, 20____.

Janice Morris,
Clerk of Superior Court

/s/ Denise Moore
By _____
Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.